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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

MARK VOELKER,)	Cause No. 9:18-CV-172-DLC
)	
Plaintiff,)	
)	
vs.)	STATEMENT OF STIPULATED
)	FACTS
BNSF RAILWAY COMPANY, a)	
Delaware corporation,)	
)	
Defendant.)	

Pursuant to L.R. 16.2(b)(3) and ¶ 8 of this Court's December 11, 2018, Order (ECF No. 7), Plaintiff Mark Voelker, by and through the

undersigned counsel, files the following Statement of Stipulated Facts to which all parties agree:

1. From April 27, 1979, to April 5, 2017, Plaintiff Mark Voelker was an employee of Defendant BNSF Railway Company.
2. At the time that the events that form the basis of Count I of his amended complaint in this matter occurred, Plaintiff Mark Voelker was a covered employee within the meaning of 49 U.S.C. § 20109.
3. Defendant BNSF Railway Company is a railroad carrier engaged in interstate commerce within the meaning of 49 U.S.C. § 20109.
4. Defendant BNSF Railway Company terminated Plaintiff Mark Voelker's employment on April 5, 2017.

Respectfully Submitted,

YAEGER & JUNGBAUER BARRISTERS, PLC

Dated: January 28, 2019

By: /s/ Christopher W. Bowman

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